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PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application

Art Unit: 2873

Applicant: Holderer et al.

Confirmation No.: 9394

Serial No.: 10/779,392

Filed: February 13, 2004

For: ADJUSTMENT ARRANGEMENT OF AN
OPTICAL ELEMENT

*I hereby certify that this correspondence is
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Mail Stop AMENDMENT, Commissioner of
Patents, P.O. Box 1450, Alexandria, VA,
22313-1450, on January 5, 2005*

Examiner: Joseph P. Martinez

Gerald T. Shekleton
Gerald T. Shekleton Reg. No. 27,466

INFORMATION DISCLOSURE STATEMENT

Mail Stop PATENT APPLICATION
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313

Sir:

Pursuant to 37 C.F.R. §1.97, a list of documents is disclosed on the attached Form PTO-1449 that may be material to the examination of this application. The cited references are enclosed herewith.

Documents for which the supplied date of publication lists the year of publication without the month were published sufficiently earlier than the effective U.S. filing date and any foreign priority date, so that the particular month of publication is not in issue. Pursuant to §609 of the MPEP, it is understood that the month of publication is not required when the particular month of publication is not in issue.

No inferences should be drawn that the attached list represents a comprehensive investigation, or that any material disclosed is equivalent to the subject invention. In addition, none of the documents that have publication dates prior to the priority date of the above application anticipate the invention in this application.

Applicant also encloses a copy of the PCT Search Report.

01/12/2005 MBERHE 00000017 10779392

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Serial No.: 10/779,392

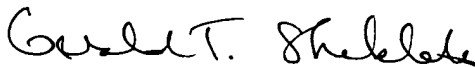
The present Information Disclosure Statement is being submitted after the mailing of the first Office Action reflecting an examination on the merits but before the mailing of a Final Rejection or Notice of Allowance. Accordingly, in accordance with 37 C.F.R. § 1.97(c), a fee of \$180 is included herewith. If this check is inadvertently not enclosed, or is in error in amount, the Commissioner is authorized to charge any deficiency or to credit any over payment to Welsh & Katz, Ltd. Account No. 23-0920.

The cited document(s) disclose numerous specific features. There has been no attempt to list each and every feature disclosed by each document. The Examiner is requested to review the document(s) and determine the extent of the materiality of the document disclosures with respect to the present invention.

The discussion of any art and the citation of any document(s) herein is not to be construed as an admission that the art or document disclosure is necessarily within the invention field of endeavor, that the art or document disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that the art or document disclosure is otherwise necessarily prior art as defined by the patent law with respect to the instant invention and application.

Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosures of the art and document(s) recited herein, that may be cited by the Examiner in rejecting a claim in the instant patent application. The recitation herein of the art and document(s) is not to be construed as an assertion that more pertinent art could not possibly be in existence.

Respectfully submitted,



Gerald T. Shekleton
Registration No. 27,466

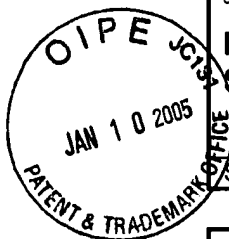
Dated: January 5, 2005
WELSH & KATZ, LTD.
120 South Riverside Plaza
22nd Floor
Chicago, Illinois 60606
Telephone: 312-655-1500

Complete if Known

Application Number	10/779,392
Filing Date	February 13, 2004
First Named Inventor	Holderer et al.
Art Unit	2873
Examiner Name	Joseph P. Martine
Attorney Docket Number	91535

(use as many sheets as necessary)

Sheet	1	of	1
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Examiner (Initials)*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ² -Number ⁴ -Kind Code ⁵ (if known)				
		EP 1 014 139	06/28/2000	Merz et al.		No
		EP 1 209 501	05/29/2002	Becker et al.		No
		WO 99/67683	12/29/1999	Gaber et al.		Abstract

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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